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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Xiaodong Wong
Xuesong Liu

Serial No.: Unknown

Filed: Herewith

For: DNA FRAGMENTATION FACTOR
INVOLVED IN APOPTOSIS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSD:546USD1

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Commissioner:

Please amend this application as follows:

In The Specification

At page 2, line 1, insert the following:

--This is a divisional of co-pending application Serial No. 09/061,702, filed April 16, 1998.--

In the Claims

Cancel claims 1-90 and 92-93, without prejudice or disclaimer.

Please add the following claims.

- 94. The complex of claim 91, wherein the DFF40 subunit comprises 20 contiguous amino acids of SEQ ID NO:2.
95. The complex of claim 94, wherein the DFF40 subunit comprises 30 contiguous amino acids of SEQ ID NO:2.
96. The complex of claim 95, wherein the DFF40 subunit comprises 50 contiguous amino acids of SEQ ID NO:2.
97. The complex of claim 96, wherein the DFF40 subunit comprises 100 contiguous amino acids of SEQ ID NO:2.
98. The complex of claim 97, wherein the DFF40 subunit comprises SEQ ID NO:2.
99. The complex of claim 91, wherein the DFF45 subunit comprises 20 contiguous amino acids of SEQ ID NO:4.
100. The complex of claim 99, wherein the DFF45 subunit comprises 30 contiguous amino acids of SEQ ID NO:4.
101. The complex of claim 100, wherein the DFF45 subunit comprises 50 contiguous amino acids of SEQ ID NO:4.
102. The complex of claim 101, wherein the DFF45 subunit comprises 100 contiguous amino acids of SEQ ID NO:4.
103. The complex of claim 102, wherein said DFF45 subunit comprises SEQ ID NO:4.
104. An isolated polypeptide encoding a human DFF40 DNA fragmentation factor.

105. The polypeptide of claim 104, wherein the DNA fragmentation factor comprises 20 contiguous amino acids of SEQ ID NO:2.
106. The polypeptide of claim 104, wherein the DNA fragmentation factor comprises 30 contiguous amino acids of SEQ ID NO:2.
107. The polypeptide of claim 104, wherein the DNA fragmentation factor comprises 50 contiguous amino acids of SEQ ID NO:2.
108. The polypeptide of claim 104, wherein the DNA fragmentation factor comprises 100 contiguous amino acids of SEQ ID NO:2.
109. The polypeptide of claim 104, wherein the DNA fragmentation factor comprises SEQ ID NO:2.
110. The polypeptide of claim 104, further comprising a second polypeptide.
111. The polypeptide of claim 110, wherein the second polypeptide is an antibody.
112. The polypeptide of claim 110, wherein the second polypeptide comprises a DFF45 fragmentation factor.
113. An isolated peptide having between about 10 and about 100 contiguous amino acids of a human DFF40 DNA fragmentation factor.
114. The peptide of claim 113, wherein the peptide comprises 20 contiguous amino acids of SEQ ID NO:2.
115. The peptide of claim 114, wherein the peptide comprises 30 contiguous amino acids of SEQ ID NO:2.

116. The peptide of claim 113, wherein the peptide is conjugated to a carrier molecule.

117. The peptide of claim 116, wherein the carrier molecule is selected from the group consisting of KLH and BSA.--

REMARKS

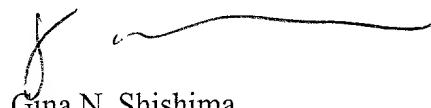
Claims 77-89 and 101-107 were prosecuted in the parent case, application Serial No. 09/061,702, which was allowed on July 12, 2000, but has not yet issued. In this divisional application, Applicants are prosecuting claims corresponding to Group I, as described in the Restriction Requirement dated June 23, 1999. Herein, claims 1-90 and 92-93 are cancelled. Claims 94-117 have been added; these added claims correspond to claims originally constituting Group I and to claims within the scope of Group I. Support for the added claims can be found in the Specification at least at page 16, lines 1-11; page 23, lines 1-4 and 27-28; and in the originally filed claims, which form part of this application's written description. Thus, the active claims in this case are claims 91 and 94-117. A copy of the pending claims can be found in Appendix A.

The specification has been amended to recite the relationship with the parent case.

Also transmitted herewith is a diskette containing the computer readable form of those sequences in the specification, a verified statement in accordance with the sequence rules, and a separate paper copy of the sequence listing. Applicants are submitting a new version of the sequence listing filed in the parent application for the sole reason of complying with the form requirements according to 37 C.F.R. §1.823. No new matter has been added to the application.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/10025066/01985.

Respectfully submitted,



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